

08-24-01

X

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
P-191

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

Methods for Treatment of Scleroderma

and invented by:

Clark M. Whitehead, Keith A. Earle, Hector W. Alila and W. Joseph Thompson

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 56 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if drawings filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

The pro did not receive the following listed item(s)

[Handwritten signature/initials]

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(Small Entity)

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Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
a. ☒ Formal b. ☐ Informal Number of Sheets 10
4. ☒ Oath or Declaration
a. ☒ Newly executed *(original or copy)* ☐ Unexecuted
b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
c. ☒ With Power of Attorney ☐ Without Power of Attorney
d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission *(if applicable, all must be included)*
a. ☐ Paper Copy
b. ☐ Computer Readable Copy
c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☒ Assignment Papers *(cover sheet & documents)*
9. ☐ 37 CFR 3.73(b) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
☐ First Class ☒ Express Mail *(Specify Label No.):* EF298707462US

**UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☐ Small Entity Statement(s) - Specify Number of Statements Submitted: _____
17. ☒ Additional Enclosures *(please identify below)*:

Petition to Accept Color Drawings under 37 C.F.R. § 1.84(2); Check in the amount of \$130.00 for the petition fee

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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Total Pages in this Submission

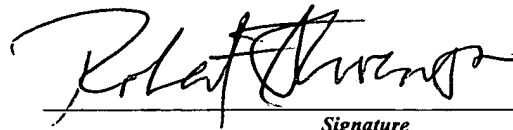
Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	40	- 20 =	20	x \$9.00	\$180.00
Indep. Claims	6	- 3 =	3	x \$40.00	\$120.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$355.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$655.00

- ☒ A check in the amount of **\$655.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **500352** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: **August 23, 2001**


Signature

Robert W. Stevens n - 31064
Cell Pathways, Inc.
702 Electronic Drive
Horsham, PA 19044

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Clark M. Whitehead et al.)

For: Methods for Treatment of Scleroderma)

CERTIFICATE OF MAILING

I certify that the following were deposited with the U.S. Postal Service "Express Mail No. EF298707462US to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and was addressed to the Assistant Commissioner for Patents, Washington D.C., 20231:

1. Patent Application Transmittal Letter (in duplicate);
2. Patent Application entitled "Methods for Treatment of Scleroderma" (56 pages with 10 sheets of drawings);
3. Declaration and Power of Attorney;
4. Check in the amount of \$655.00 for filing fees;
5. Recordation of Assignment form;
6. Assignment;
7. Check in the amount of \$40.00 for the assignment fee;
8. Statement Under 37 CFR 3.73(b);
9. Verified Statement Claiming Small Entity Status; (37 CFR 1.9 (f) and 1.27 (c));
10. Petition to Accept Color Drawings;
11. Check in the amount of \$130.00 for the petition fee;
12. Certificate of Mailing;
13. Acknowledgement Postcard.

Date: August 23, 2001

Chad Roberts

Send all correspondence to: Robert W. Stevenson
Cell Pathways, Inc.
702 Electronic Drive
Horsham, PA 19044
(215) 706-3800

09938160-082301
T0E280"09T8E660

STATEMENT UNDER 37 CFR 3.73(b)Applicant: Whitehead et al.Application No.: _____ Filed: August 23, 2001Entitled: Methods for Treatment of SclerodermaCell Pathways, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

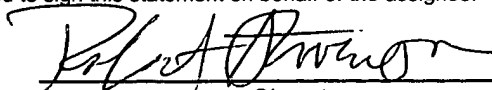
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

August 23, 2001

Date



Signature

Robert W. Stevenson

Typed or printed name

Vice President

Title

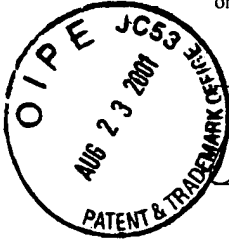
08-24-01

I hereby certify that this correspondence is being
sent via Express Mail #EF298707462US to:
Assistant Commissioner of Patents and Trademarks,
Box Patent Application, Washington, D.C. 20231

on August 23, 2001
Date of Mailing

Carolyn Roberts
Name of applicant, assignee
or Registered Representative
Carolyn Roberts
Signature

August 23, 2001
Date of Signature



PATENT
Case No. P-191

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Whitehead et al.)
Serial No.: Not Yet Assigned) Group Art Unit: Not Yet Assigned
Filed: August 23, 2001) Examiner: Not Yet Assigned
For: METHODS FOR TREATMENT OF)
SCLERODERMA)

PETITION AND FEE TO ACCEPT COLOR DRAWINGS
UNDER 37 C.F.R. § 1.84(2)

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

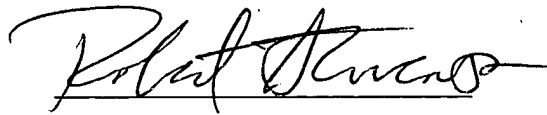
Applicants petition the Patent Office to accept certain color figures in the above
utility application.

09938160-082301

Specifically, the Applicants request acceptance of Figure 2, 3, 4, 5, 8, 9, 10 and 11 in color. These figures represent color stainings of various biological samples. Black and white copies of these figures do not distinguish the staining from the biological samples themselves. Three copies of these figures are included with this petition. One copy is attached to the application.

The fee as set forth in 37 C.F.R. § 1.17(i) is included with this petition.

Respectfully submitted,



Robert W. Stevenson - 31064
Attorney for Applicants

August 23, 2001
CELL PATHWAYS, INC.
702 Electronic Drive
Horsham, PA 19044
(215) 706-3800

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